The Effects of Diversity on Sexual Harassment: Some Recommendations for Research

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This article speculates about some of the possible effects of increasing organizational diversity upon sexual harassment, and suggests some potential research opportunities and directions. Discussion and research recommendations center around the following aspects of sexual harassment: (1) antecedents of harassment; (2) behaviors exhibited; (3) perceptions of behaviors; (4) immediate reactions of harassees; and (5) longer-term individual and organizational outcomes of sexual harassment.

KEY WORDS: sexual harassment; diversity; organizational demographics.

INTRODUCTION

Organizations in the U.S. will have much more diverse, heterogeneous employee populations in the near future. According to one estimate, by the year 2000, 90% of all new entrants into the work force will be women, minorities, and immigrants. Women will constitute approximately 50% of the total labor force by 2000 (Finney, 1989). African American employment is expected to grow significantly, and there will be dramatic increases in the employment of Hispanic, Asian, and “other” workers (“other” includes Native Americans, Alaska Natives, and Pacific Islanders). Hispanic employment is projected to expand at a rate of 74%, and Asian and “other” employment is expected to increase by 71% (Fullerton, 1987). Furthermore, immigrants may account for 23% of the change in the work force by the end of the century (Finney, 1989).

A good deal of literature has surfaced recently that discusses the possible effects and outcomes of diversity; and several articles on “managing diversity” have been published. Relatively little, however, has been written about the potential effects of increasing organizational diversity on employment problems encountered by women. The changing demographics of U.S. organizations may significantly affect, and in some cases, change the nature of problems that currently confront women in the workplace. For example, the effects of increased organizational di-
versity upon sexual harassment are largely unknown. It may be beneficial to try to anticipate some of the potential effects of these demographic changes upon sexual harassment, and begin to design systematic studies that will enable us to better understand and manage some of these possible effects.

Sexual harassment has become an issue of much concern in recent years. The potential organizational and individual costs have been well documented in the literature. Public interest in the problem of sexual harassment has also increased as a result of greater media exposure (e.g., the Thomas-Hill hearings, the Navy Tailhook scandal, and, of course, Paula Jones' accusations directed toward the President of the United States). However, the courts and the EEOC have failed to provide specific and consistent guidance regarding the type of conduct that constitutes actionable sexual harassment. It is clear that quid pro quo harassment (where the unwelcome sexual behavior is linked to tangible job benefits) is actionable, but there is much confusion regarding hostile environment claims of sexual harassment.

The Supreme Court affirmed that hostile environment claims were, indeed, actionable in its 1986 ruling in Meritor v. Vinson. But there is still some uncertainty as to what constitutes a hostile environment claim. The most recent Supreme Court case, Harris v. Forklift (1993), suggested that the plaintiff need not demonstrate psychological harm to prevail on a hostile environment claim, but left many other questions unanswered. For example, the Court stated that "the challenged conduct must be severe or pervasive enough to create an objectively hostile or abusive work environment—an environment that a reasonable person would find hostile or abusive." The Court added that whether an environment is hostile or abusive can be determined by assessing all the circumstances, including the frequency of the conduct, its severity, and whether it is physically threatening or humiliating, or a mere offensive utterance. But the Court did not say how much of each factor is necessary to constitute actionable harassment, or how those factors should be weighted. This led Justice Scalia to comment, "As a practical matter, today's holding lets virtually unguided juries decide whether sex-related conduct engaged in by an employer is egregious enough to warrant an award of damages."

There is also some doubt regarding the standard by which a hostile or abusive environment should be judged. The 1993 Harris v. Forklift decision did seem to embrace the language of the "reasonable person" standard rather than the "reasonable woman" standard used in earlier significant cases (e.g., Ellison v. Brady, 1991). On the other hand, the new EEOC Guidelines on Harassment (1993) seem to lean toward the "reasonable woman" standard when they state that "consideration is to be given to the perspective of individuals of the claimants' race, color, religion, gender, etc." In short, there is confusion concerning what actionable sexual harassment is because of unclear and inconsistent definitions provided by the EEOC and the courts. In the absence of such guidance, research on sexual harassment takes on even greater importance. In fact, it may be preferable to gather more empirical research data prior to any definitive statement by the courts or the EEOC. Sexual harassment is still a problem that is not well understood, and the courts may be waiting (wisely) for more input and information from the research community.